

CORRECTED FISCAL NOTE

HB 2652 - SB 3688

February 28, 2006

SUMMARY OF BILL: Authorizes the Bradley County forensic laboratory to assess and receive the same fees currently charged by Tennessee Bureau of Investigation (TBI) and other publicly funded forensic labs for conducting tests to determine the drug and alcohol content of blood.

ESTIMATED FISCAL IMPACT:

On February 25, 2006 we issued a fiscal note which indicated *an increase in local govt. revenues of \$50,000 and a decrease in state revenues of \$50,000*. Based on additional information provided to us, the estimated fiscal impact of this bill is:

(CORRECTED)

Increase Local Govt. Revenues – \$12,800

Increase Local Govt. Expenditures - \$12,800*

Decrease State Revenues – \$12,800

Decrease State Expenditures - \$12,800

Assumptions:

- Current law requires the assessment of additional fees (\$20.00) upon conviction for certain drug offenses in which drug tests are performed, and an additional \$100 fee upon conviction in drug and DUI cases in which blood alcohol and breath test are performed. The court clerk deducts five percent of these costs as compensation and identifies the remainder to the TBI which is remitted to the State Treasury. This bill would authorize the clerks to remit such fee revenues directly to the county trustee of Bradley County for offenses occurring in that county.
- In 2005, the TBI performed 255 blood and breath alcohol tests and 964 drug tests for Bradley County. These tests will now be performed at the Bradley County lab and the net fees that previously were remitted to the State will be retained by Bradley County.

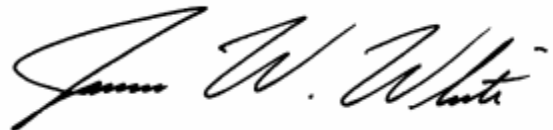
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- It is estimated that there will be a 60% conviction rate for persons charged with these offenses and that the county will be able to collect on 50% of those convictions. $(255 \times \$100 \times .60 \times .50 = \$7,650$ for alcohol tests and $964 \times \$20 \times .60 \times .50 = \$5,784$ for drug tests). After deducting the five percent clerk's fee, approximately \$12,800 in net fees will be retained by Bradley County for this function. $(\$13,434 \times 0.05 = \672 . $\$13,434 - \$672 = \$12,762$).

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director